

Message Text

UNCLASSIFIED

PAGE 01 MANILA 20046 220241Z
ACTION L-03

INFO OCT-01 EA-12 ISO-00 JUSE-00 PM-05 CIAE-00 INR-07
NSAE-00 /028 W

-----121132 220610Z /15

R 220140Z DEC 77
FM AMEMBASSY MANILA
TO SECSTATE WASHDC 9492
SECDEF WASHDC
INFO HQ USAF JACI
CINCPACJA
CINCPACAFJA
CINCPACREPHIL JA
HQ 13AF/JA
3CSG/JA

UNCLAS MANILA 20046

DEPT. PASS TO: DEPT. OF JUSTICE/
FOREIGN CIVIL LITIGATION UNIT

E.O. 11652: NA
TAGS: ACLM
SUBJ: ASIAN DESIGN AND CONSTRUCTION CO. V. UNITED STATES

REF: A DEPT. OF JUSTICE 192024Z DEC 77 (2023)
B 3CSG, CLARK 140600Z DEC 77 (1518)

1. CLARK AIR BASE HAS RECHECKED COURT RECORDS AND
DETERMINED THAT PETITIONERS DID NOT RESPOND TO THE
USG'S OPPOSITION TO THE PETITIONER'S MOTION FOR
PRELIMINARY INJUNCTION BY THE TIME IT WAS DUE ON
DECEMBER 9.

2. LUNA'S RESPONSE TO REF A IS AS FOLLOWS: QUOTE
A) "ALTHOUGH GRANTED AN EXTENSION OF TIME TO REPLY
TO OUR OPPOSITION TO THE MOTION FOR A PRELIMINARY
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INJUNCTION ON WHICH THE TRO WAS BASED, ASIAN DESIGNS
DID NOT REPLY. ACCORDINGLY THE PRELIMINARY INJUNCTION
ISSUE IS NOW BEFORE THE COURT FOR RESOLUTION AND IF
NOT RESOLVED IN 10 DAYS, WE INTEND TO MAKE A SPECIAL
MOTION FOR EARLY RESOLUTION. IF THE COURT SHOULD GRANT
PLAINTIFFS'S MOTION FOR PRELIMINARY INJUNCTION WE WILL
APPLY FOR A WRIT OF CERTIORARI.

B) "ON A SEPARATE QUESTION, ASIAN DESIGNS HAS FILED AN OPPOSITION TO OUR MOTION TO DISMISS. OUR REPLY, DUE BY DECEMBER 29, WILL INCLUDE THE ARGUMENTS OUTLINED IN MR. RISTAU'S LETTER OF NOVEMBER 7, 1977. ORAL ARGUMENTS ON THE MOTION TO DISMISS ARE SCHEDULED FOR JANUARY 27, 1978." UNQUOTE
NEWSOM

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NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Sent Date: 22-Dec-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01-Jan-1960 12:00:00 am
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977MANILA20046
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D770477-0090
Format: TEL
From: MANILA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19771227/aaaaawdj.tel
Line Count: 70
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
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Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: n/a
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 24-Mar-2005 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 147501
Secure: OPEN
Status: NATIVE
Subject: ASIAN DESIGN AND CONSTRUCTION CO. V. UNITED STATES
TAGS: ACLM
To: STATE DOD
Type: TE
vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/dc1549fe-c188-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
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